

Seven-Year IP Adjudications by the Numbers

By Wang Doudou

77,463 From 2001 to 2007, the local people's courts across the country accepted and concluded 77,463 and 74,200 IP civil cases of first instance, representing annual rates of growth of 22.60% and 22.92%, respectively, of which 18,521 and 17,764 related to patent, 11,598 and 10,743 to trademark, 28,776 and 28,170 to copyright, 6,227 and 5,516 to technical contract, 7,934 and 7,832 to unfair competition, and 4,537 and 4,175 to other IP issues.

79.90% From 2001 to 2007, the rate of conclusion of IP civil cases of first instance rose from 73.52% to 79.90%, the appeal rate dropped from 25.72% to 16.47%, the rate of cases reversed and remanded in the second trial dropped from 25.40% to 15.33%, the rate of retrial dropped from 4% to 0.22%, the rate of cases of first instance withdrawn or settled rose from 47.45% to 55.48%, and the average rate of withdrawn or settled reached 57.21%.

20 The Supreme People's court improved the IP adjudication system and issued 20 IP judicial interpretations in time.

32,336 By the end of the last year, 32,336 IP judgments had been posted online to ensure the openness and transparency of the adjudication.

40 There are currently 69, 38 and 43 intermediate courts that have jurisdiction over cases relating to patent, new plant variety, and layout designs of integrated circuits, respectively, and there are 40 local courts designated for handling some kinds of IP civil cases.

1,634 From 2001 to 2007, the local courts across the country concluded 1,634 foreign-related IP civil cases of first instance, representing an annual rate of growth of 57.96%, more than two times greater than that of the whole IP cases. In 2007 alone, 668 cases were concluded, 89.24% increase over the previous year.

2,115 The Supreme People's court compiled a curriculum for IP trial training, and organized 13 practical training courses on IP adjudication and special seminars during the seven years, with a total attendance of 2,115 persons.

Source: Legal Daily